

# EXHIBIT 3

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**CHRISTOPHER HOWE, individually, and on )  
behalf of all others similarly situated, )  
Plaintiff, )      Case No. 1:19-cv-01374  
v. )  
SPEEDWAY LLC, )  
Defendant. )      Hon. Judge John F. Kness**

**DECLARATION OF CHRISTOPHER HOWE**

I, Christopher Howe, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct and based upon my own personal knowledge and, if called to testify, would state:

1. I am over the age of 18 and I am able to testify to the statements below.
2. I am resident and citizen of Illinois.
3. I worked for Speedway, LLC, (“Speedway”) from September 2015 to May 2017 at 22W275 North Ave., Glen Ellyn, 1395 N. Arlington Heights Rd., Itasca, 701 E. Lake St., Addison, and 1150 S. Main St., Lombard, Illinois.
4. Before filing the lawsuit, I spoke with my lawyers at Stephan Zouras, LLP, in detail concerning the allegations in the lawsuit, the claims under the Illinois Biometric Information Privacy Act and negligence, and my role as a class representative. Specifically, we discussed my responsibilities as a class representative, a general description of who was in the class, and my personal experiences and circumstances while working at Speedway.

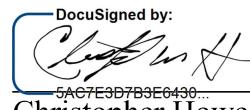
5. As part of that conversation, Mr. Ficzko, my attorney, asked me a number of questions about my individual experience with the timekeeping technology used at Speedway and any disclosures that may have been made. That information was accurately reflected in the lawsuit that was filed. I also submitted an affidavit at the start of the case in support of an early motion for class certification affirming that I understood what it means to be a class representative. Specifically, as a class representative, I am looking out for the interests of the other class members. I further affirmed that I do not have any conflicts with any class members because they were treated like I was with respect to the lawsuit. I have their interests in mind, as well as my own, in bringing the lawsuit.

6. As I testified at my deposition, I participated in preparing discovery responses and documents that I provided during the discovery process. I also, of course, sat for a deposition in the case and took off work to do so.

7. I have consistently kept in touch with my attorneys in the lawsuit, specifically Mr. Ficzko. As I testified at my deposition, I'd spoken with Mr. Ficzko at that point (which was several years ago now) about a dozen times concerning the case. I've consistently spoken with Mr. Ficzko in the intervening years to receive updates on the case.

8. I am and have always been committed to pursuing the lawsuit on behalf of myself and the class, and will continue to do so. If a trial in this matter occurs, I am ready and willing to testify.

Date: 1/11/2022

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Christopher Howe